

APR 28 2008

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Nanometrics IncorporatedApplication No./Patent No.: 10/549,860 Filed/Issued Date: July 13, 2006Entitled: Overlay Metrology MarkNanometrics Incorporated, a Corporation
(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title and interest; or
2. an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. An chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as follows:

1. From: Nigel P. Smith and Michael J. Haminond To: AOTI Operating Company, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel: 018107, Frame: 0398, or for which a copy thereof is attached.

2. From: AOTI Operating Company, Inc. To: Nanometrics Incorporated

The document was recorded in the United States Patent and Trademark Office at Reel: 020794, Frame: 0647, or for which a copy thereof is attached.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

4-28-08

Date

(NAN155 US)

Michael J. Halbert

Name: Michael J. Halbert (40,633)
Title: Attorney for Assignee

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Modified PTO/SB/80 (12/31/08)

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous power of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

Practitioners associated with Customer Number:

34036

OR

Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications and patents assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

The address associated with Customer Number:

34036

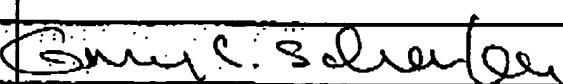
Assignee Name and Address

Nanometrics Incorporated
1550 Buckeye Drive
Milpitas, California 95035-7418

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Gary C. Schaefer		
Signature		Date	3.25.08
Title	Chief Financial Officer	Telephone	408-545-6000